

## COUNTY OF FAIRFAX, VIRGINIA

### SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

VIJAYA K. SHAH / QUALITY CHILD CARE, SP 2014-MA-148 Appl. under Sect(s). 3-303 and 8-305 of the Zoning Ordinance to permit a home child care facility. Located at 2510 N. Chambliss St., Alexandria, 22311, on approx. 14,925 sq. ft. of land zoned R-3. Mason District. Tax Map 61-4 ((1)) 126 C. Ms. Theodore moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on June 17, 2015; and

WHEREAS, the Board has made the following findings of fact:

1. The applicant is the owner of the land.
2. The present zoning is R-3.
3. The area of the lot is 14,925 square feet.
4. The Board has received letters of support from both neighbors who utilize the pipe stem on the Fairfax County portion of the driveway. The Board has also received a petition of support of the application from the parents who use the home child care, as well as a number of letters of appreciation from some of those parents.
5. The issues that were identified from the Zoning Inspections Branch site visit have been corrected.
6. Any issues identified in correspondence, which was received by another neighbor regarding the use and maintenance of the shared driveway, are not issues that are considered by the Board.
7. The applicant has indicated that she has read, understands and agrees to the proposed development conditions, and staff is recommending approval.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED** with the following limitations:

1. This approval is granted to the applicant, Vijaya Shah, only, and is not transferable without further action of the Board, and is for the location indicated on the application, 2510 N. Chambliss St., and is not transferable to other land.

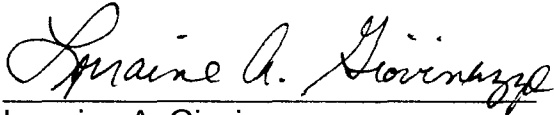
2. This special permit is granted only for the home child care use indicated on the plat entitled, "Plat Showing House Location on Lot 4.03, Resubdivision of Lot 4, Hoffman Property Subdivision, City of Alexandria and Fairfax County," prepared by Kenneth W. White, L.S., dated March 23, 1983, and revised by the applicant, through July 24, 2014, and approved with this application, as qualified by these development conditions.
3. A copy of this Special Permit shall be posted in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. The hours of operation of the home child care facility shall be limited to 7:00 a.m. to 6:00 p.m., Monday through Friday.
5. The dwelling that contains the child care facility shall be the primary residence of the applicant.
6. Excluding the applicant's own children, the maximum number of children on site at any one time shall be twelve.
7. A maximum of two nonresident employees at a time, whether paid or not for their services, may be involved in the home child care facility, limited to the hours of 7:00 a.m. to 6:00 p.m.
8. There shall be no signage associated with the home child care facility.
9. All drop-off and pick-up activities shall occur in the upper portion of the driveway, located within the Fairfax County portion of the property.
10. Any portion of the dwelling associated with the home child care facility that is used as a children's sleeping area shall be located in a room with proper emergency egress as defined by the Virginia Uniform Statewide Building Code.
11. The approval of the use is contingent upon maintenance of a state-issued family day home license that permits the number of children being cared for at the home child care facility.
12. All sheds shall remained locked during the hours of operation of the home child care facility.

This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall take effect upon adoption of a resolution of approval by the Board of Zoning Appeals.

Mr. Smith seconded the motion, which carried by a vote of 7-0.

A Copy Teste:

A handwritten signature in cursive script, reading "Lorraine A. Giovinazzo". The signature is written in dark ink and is positioned above a horizontal line.

Lorraine A. Giovinazzo

Clerk to the Board of Zoning Appeals